

RECEIVED
CENTRAL FAX CENTER

MAY 08 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of	
Inventor: Larry E. Spencer	: Confirmation No. 2789
	:
U.S. Patent Application No. 10/812,027	: Group Art Unit: 3661
	:
Filed: March 30, 2004	: Examiner: Thu V. Nguyen
	:
For: PORTABLE VEHICLE NAVIGATION SYSTEM	

Attn: BOARD OF PATENT APPEALS AND INTERFERENCES

APPELLANT'S REPLY BRIEF (37 C.F.R. 1.192)Mail Stop Appeal Brief
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Appellant submits this Reply Brief in response to the Examiner's Answer mailed March 7, 2006. As best understood by Appellant, the Examiner's Answer relies on an erroneous interpretation of the Kodama document, as well as, a flawed translation of the document. This Reply Brief explores the Examiner's interpretation of the Kodama document. Appellant's arguments presented in the Appeal Brief filed December 19, 2005 have not been overcome or refuted by the Examiner and remain applicable and are hereby incorporated by reference herein in their entirety.

reply Brief noted ntu 7/20/06

To the extent necessary, Appellant hereby requests any required extension of time under 37 C.F.R. §1.136 and hereby authorizes the Commissioner to charge any required fees not otherwise provided for to Deposit Account No. 07-1337.

TABLE OF CONTENTS

I. Status of Claims.....	4
II. Grounds of Rejection to be Reviewed on Appeal	5
III. Argument	6
IV. Conclusion	9

I. Status of Claims

No claims are allowed.

Claims 1, 3, 5-31 and 33-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kamiya et al (U.S. Patent No. 5,917,435) in view of Kodama (JP 10-213443) and further in view of Hollenberg (U.S. Patent No. 6,091,956).

Claims 23 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kamiya in view of Kodama and further in view of Ito et al (U.S. Patent 5,889,337).

Claims 24-28, 39, and 41-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kamiya in view of Kodama and further in view of Ito and Avitan.

Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kamiya in view of Kodama and further in view of Ito, Avitan, and Hollenberg.

II. Grounds of Rejection to be Reviewed on Appeal

I. Kamiya in combination with Kodama and Hollenberg fails to render obvious the claimed subject matter

II. Kamiya in combination with Kodama and Avitan fails to render obvious the claimed subject matter

III. Kamiya in combination with Kodama and Ito fails to render obvious the claimed subject matter

IV. Kamiya in view of Kodama and further in view of Ito and Avitan fails to render obvious the claimed subject matter

V. Kamiya in view of Kodama and further in view of Ito, Avitan, and Hollenberg fails to render obvious the claimed subject matter

III. Argument

I. Kodama fails to disclose a computer module selectively matable with a docking station and including a navigation sensor

Throughout the Examiner's Answer, the Examiner asserts repeatedly that Kodama teaches a navigation device 2 including a processor 23 and the navigation device having a removable inertial navigation sensor 12 and a GPS receiver 11. This is incorrect.

1. A translation of Kodama is in order

The translation of Kodama being used by the Examiner is an automated computer-based translation of the reference. As indicated at the top of page 2 of the copy of the Kodama reference provided by the Examiner, the copy states "1. This document has been translated by computer. So the translation may not reflect the original precisely." Given the fact that the Examiner has relied on this reference for each of the grounds of rejection applied and a corresponding English-language application has not been uncovered, a translation performed by a translator in the Translations Branch of the Scientific and Technical Information Center is believed to be in order. Further, for the additional reasons presented below, a translation is believed to be in order so as to set the record straight concerning what exactly Kodama teaches.

2. Kodama fails to cure the deficiencies of Kamiya

The Examiner admits that Kamiya fails to disclose "a docking station which is matable with the computer module station, and including at least a navigation sensor matable to the computer module station." As stated in Appellant's Appeal Brief, Kodama fails to teach or suggest a computer module selectively matable with a docking station and including a navigational sensor, instead Kodama describes a navigation sensor unit 12 selectively attachable to a base unit 13. "[GPS unit] 11 and [navigation sensor unit] 12 may be mounted to the base 13 temporarily." (Kodama Abstract).

Having reviewed Kodama in additional detail, Appellant has concluded that, at most, Kodama teaches a main part 2 which is connected with a base unit 13 of an attachment section 1. Kodama at paragraphs 9 and 12 and Figure 1. Main part 2, containing CPU 23, is not a part of attachment section 1, contrary to the Examiner's repeated assertions.

The Examiner relies primarily on paragraphs 6, 9, 11, and 39 of Kodama. Paragraph 6 of Kodama appears to describe only a problem of having to "reattach separately a GPS antenna unit and self-contained navigation unit" without describing reattaching either base unit 13 or main part 2. Paragraph 9 of Kodama appears to be a stilted translation suggesting a subtlety in the original text not understood by the computer-based translation. Without a proper translation, the intent of the passage is not clear. Appellant hesitates to speculate; however, it is possible that the passage is simply stating the mountable navigation equipment includes the GPS antenna unit 11 and the self-contained navigation sensor unit 12 which are mountable to the attachment section 1 including the base 13 and that base 13 is connected with main part 2.

Paragraph 11 of Kodama simply describes components of navigation sensor unit 12 and does not describe main part 2. Paragraph 39 of Kodama appears to describe a benefit of being able to join the self-contained navigation sensor unit and the GPS antenna unit together. That is, after the navigation sensor unit and GPS antenna unit are united to each other, reattaching the GPS antenna unit and navigation sensor unit separately is unnecessary and the units may be easily anchored.

3. Main part 2 of Kodama is not a part of attachment section 1

Based on a careful review of the text of the translation and the accompanying Figures, Appellant believes, in the absence of a proper translation, that Kodama teaches that main part 2 is not a part of attachment section 1.

First, as best understood by Appellant, the problem to be solved by Kodama is simplifying the mounting of a GPS antenna and a self-contained navigation sensor to an attachment part. Kodama fails to state the problem in terms of the main part mounting, rather Kodama focuses throughout on the mounting of the GPS antenna unit and the self-contained navigation sensor. Further, the solution stated by Kodama includes "mounting both units 11

and 12 of the GPS and navigation in one piece at a time.” Kodama at Abstract. That is, the solution involves the ability to mount both the GPS antenna unit 11 and the navigation unit 12 in one piece, connected to each other. Kodama fails to describe at all the main part 2 in the stated solution.

Second, Figure 1 depicts attachment section 1 connected with one end of wire 14 and providing a signal in a single direction along the wire away from the attachment section. Further, Figure 1 depicts main part 2 receiving a signal in a single direction along wire 14 toward the main part. The relative position and use of arrows exiting and entering wire 14 strongly suggests that the wire connects attachment section 1 to main part 2 and transfers signals from the attachment section to the main part. In contrast, if main part 2 were a part of attachment section 1, the arrow related to wire 14 of main part 2 would be directed outward away from the main part in keeping with the depicted arrow related to wire 14 of the attachment section 1.

Third, based on the three differing embodiments depicted and described with respect to Figures 2, 3, and 5, main part 2 cannot be a part of either navigation sensor unit 12 or GPS antenna unit 11. Assuming *arguendo* that main part 2 is included as part of GPS antenna unit 11, then Figure 3 is not operable as the main part, which includes the user control 27, display 26, power 21, and CPU 23, is not present. Similarly, assuming *arguendo* that main part 2 is included as part of navigation sensor unit 12, then Figure 5 is not operable as the main part is not present. Base unit 13 does not appear to include main part 2 for at least the second reason advanced above.

Based on each of the foregoing reasons, main part 2 which includes CPU 23 is not a part of either of GPS antenna unit 11, navigation sensor unit 12, or attachment section 1 and the rejection based on Kodama should be reversed. Further, the rejections based on Kodama should be reversed as being based on a flawed translation of Kodama.

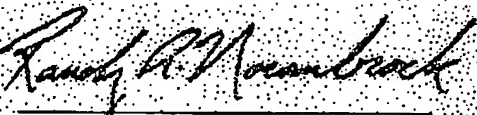
IV. Conclusion

Based on the foregoing arguments, reversal of the rejections is in order.

Respectfully submitted,

Larry E. Spencer et al

By:


Randy A. Noranbrock
Reg. No. 42,940

1700 Diagonal Road, Suite 310

Alexandria, Virginia 22314

(703) 684-1111

Facsimile: (703) 518-5499

Date: May 8, 2006

KMB:RAN